

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF VERMONT**

In re:	)	
	)	
HERMITAGE INN REAL ESTATE	)	Chapter 7
HOLDING COMPANY, LLC,	)	Case Nos. 19-10214 (CAB) and
	)	19-10276 (CAB)
and	)	Jointly Administered
	)	
HERMITAGE CLUB, LLC,	)	
	)	
Debtors.	)	
	)	

**LIMITED OBJECTION OF BERKSHIRE BANK TO MOTION FOR RELIEF FROM  
AUTOMATIC STAY OF LAKELAND BANK**

Now comes Berkshire Bank, by and through its undersigned counsel, and hereby submits this Limited Objection to the Motion for Relief from Stay filed by Lakeland Bank (Doc. #143).

In support of this Limited Objection, Berkshire Bank respectfully represents as follows:

1. Lakeland Bank filed a Motion for Relief from Stay to permit it to enforce its security interest in collateral consisting of certain snowmaking equipment owned by Hermitage Inn Real Estate Holding Company, LLC (“HIREHC”), one of the Debtors in these cases.

2. Berkshire Bank has filed its own Motion for Relief from Stay in these proceedings seeking relief from the automatic stay to enforce its rights under its mortgage and security agreement against the Debtors’ properties that constitute Berkshire Bank’s collateral (Doc. #201). Lakeland Bank’s collateral is located on the real estate owned by HIREHC upon which Berkshire Bank holds a first mortgage.

3. Berkshire Bank does not oppose the granting of relief from stay to Lakeland Bank, but requests that any order granting Lakeland Bank relief from the automatic stay be

subject to Lakeland Bank being ordered to remove its collateral from the Debtors' property within thirty (30) days of the order granting Lakeland Bank relief from stay, and to coordinate such removal with the Chapter 7 Trustee and the representatives of Berkshire Bank.

WHEREFORE, Berkshire Bank respectfully requests that any order granting Lakeland Bank relief from the automatic stay be conditioned upon Lakeland Bank being ordered to (A) remove its collateral from the Debtors' property within thirty (30) days of any such order, and (B) coordinating the removal of such collateral with the Chapter 7 Trustee and the representatives of Berkshire Bank.

Dated this 16<sup>th</sup> day of August, 2019.

BERKSHIRE BANK

By its attorney's

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### **CERTIFICATE OF SERVICE**

I, Paul F. O'Donnell, III, hereby certify that on this 16<sup>th</sup> day of August, 2019, I caused to be served a copy of the Limited Objection of Berkshire Bank to Motion For Relief from Automatic Stay filed by Lakeland Bank to be served by this Court's CM/ECF System, and on the following parties.

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